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**FROST BROWN TODD LLC**  
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	<b>ATTENTION OF:</b>	<b>COMPANY/FIRM:</b>	<b>FAX NUMBER</b>	<b>CONFIRM NUMBER</b>
<b>To:</b>	Alexander S. Noguerola	USPTO - GAU 1753	703-872-9306	3959

**NUMBER OF PAGES** 5  
(INCLUDING COVER SHEET):

**CLIENT/MATTER:** 0010872/0477520

**DATE:** January 18, 2005

**FROM:** Sherrill G. Jones

**PHONE:** (513) 651-6910

**MESSAGE:** **APPLICATION No: 10/090,347; FILED 03/04/02**  
**ATTORNEY DOCKET No. 0010872.0477520**  
**TITLE: ELECTROCHEMICAL ANALYSIS OF COENZYME Q<sub>10</sub> and Reduced Coenzyme Q<sub>10</sub>**

MR. NOGUEROLA,

PER OUR TELEPHONE CONVERSATION TODAY, THE FINAL REJECTION MAILED 12/06/2004 WAS ERRONEOUSLY SENT AND IS NOW CANCELLED. IT HAS BEEN REPLACED WITH A NON-FINAL OFFICE ACTION MAILED 01/14/2005.

ACCORDINGLY, A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF 01/14/05 AND EXTENSIONS OF TIME MAY BE AVAILABLE UNDER THE PROVISIONS OF 37 CFR 1.136(a). IN NO EVENT, HOWEVER, MAY A REPLY BE TIMELY FILED AFTER SIX (6) MONTHS FROM THE MAILING DATE OF 01/14/2005.

PLEASE NOTE THAT THE ATTORNEY DOCKET NO. IS 0010872.0477520.

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FOR YOUR CONVENIENCE I AM ATTACHING A COPY OF THE 01/14/05 NON-FINAL OFFICE ACTION WITHOUT REFERENCES.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME.

THANK YOU,

SHERRILL G. JONES  
IP PATENT ADMINISTRATOR  
FROST BROWN TODD LLC  
2200 PNC CENTER  
201 EAST FIFTH STREET  
CINCINNATI, OHIO 45202-4182  
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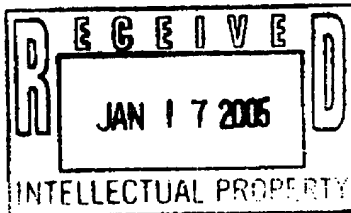


## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,347	03/04/2002	Peter H. Tang		3959

7590 01/14/2005  
FROST BROWN TODD LLC  
2200 PNC Center  
201 E. Fifth Street  
Cincinnati, OH 45202-4182

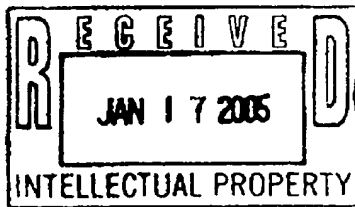


EXAMINER  
NOGUEROLA, ALEXANDER STEPHAN

ART UNIT 1753  
PAPER NUMBER

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20041122

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The Office Action Summary (PTOL-326) in paper No. 20041117, which is the examiner's response to Applicants' amendment of September 20, 2004, incorrectly states that the Office Action is a final rejection. Instead the box for "This action is non-final." should have been checked. A corrected Office Action Summary is submitted herewith.

*Alex Noguera*  
Alex Noguera  
Primary Examiner  
Art Unit: 1753

<b>Corrected</b> <b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/090,347	TANG ET AL.	
	Examiner	Art Unit	
	ALEX NOGUEROLA	1753	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 20 August 2004.

2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 10, 12 and 19 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 10, 12 and 19 is/are rejected.

7) ☒ Claim(s) 13-18 is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____
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